

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the following remarks. Claims 1-11 are in the application.

The Examiner rejected claims 1-3 and 5-9 under 35 U.S.C. § 102(e) as being anticipated by *Lockeridge et al.* and rejected claim 4 under 35 U.S.C. § 103 as being unpatentable over *Lockeridge et al.* Claims 10-11 were rejected under 35 U.S.C. § 103 as being unpatentable over *Lockeridge et al.* in view of *Hirabayashi et al.* Applicant respectfully traverses.

Lockeridge is focused on creating a computerized coloring system, where the user colors in the line drawing on the computer. The program in *Lockeridge* allows a user to paint in the appropriate areas using a color index generated by the program to create a paint-by-number image. *Lockeridge* is focused on creating a watercolor-like image from a standard image. The present invention relates to the creation of a line drawing from a photograph or other digital image, which the user can then color in as desired. There is no need for a computer graphics package, or a color index as required by *Lockeridge*.

The kit of the present invention was designed for coloring in the paper printout using crayons or conventional drawing materials. In *Lockeridge*, while there was a coloring printout, it

is only to check the product color. There would be no reason for a color check, if the drawing were to be by hand. The printout in Lockeridge is intended to convert a computer image into a paint-by-number computer program using watercolor and then print out the final product, against a color chart, so that there would be little distortion of the final color printout.

The sense in which the print with the color code of Lockeridge is used actually teaches away from the present invention, because there would never be a need for a computer check if the end product was to be painted by hand, as with the present invention.

Accordingly, Applicant submits that claims 1-11 as amended are patentable over the cited references, taken either singly or in combination. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,
DONALD SPECTOR 10

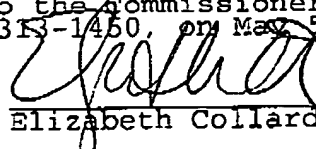
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
ECR:jc

Allison C. Collard, Reg.No. 22,532
Edward R. Freedman, Reg.No. 26,048
Frederick J. Dorchak, Reg.No. 29,298
Elizabeth C Richter, Reg. 8No. 35,103
Attorneys for Applicant

CERTIFICATE OF FACSIMILE TRANSMISSION

Fax No. 703-872-9306

I hereby certify that this correspondence is being sent by facsimile-transmission to the commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 5, 2005.


Elizabeth Collard Richter